

# Author to Defy Court on CIA

Chicago Tribune Press Service

WASHINGTON, Dec. 11—Victor Marchetti, silenced by court order, said today he will go ahead with his book on the Central Intelligence Agency despite rejection of his legal case by the Supreme Court.

Acting in an order, the Supreme Court today denied Marchetti's appeal challenging a CIA policy requiring former agents to submit all manuscripts, articles, or essays about the agency for approval before publication.

Marchetti came within one vote of obtaining a Supreme Court hearing. Justices William Douglas, William Brennan, and Potter Stewart dissented from the denial.

## Book Is Described

Marchetti, a former high-ranking CIA official, describes his book as a "critical study of the CIA and the intelligence community." He said the book will blast the agency for its "clandestine activities, its sneaking around in back alleys, its dirty tricks."

In his appeal to the Supreme Court, Marchetti said there were many CIA and government intelligence operations which are counterproductive and harmful to the nation.

In silencing the former CIA official, the lower courts focused on the secrecy agreement which Marchetti signed when he joined the CIA in 1955. He resigned in 1969 after serving in several posts, including that of special assistant to the deputy director.

## Hatch Act Taken Up

Marchetti told The Tribune today he wanted the Supreme Court to deal with the questions of what is national security and the government's rights in this area and its responsibility to the public.

In another order, the Su-

## Book Ban

preme Court announced that it will hear arguments later this term, to be followed by a decision, on whether the federal government and states may curtail the political activities of their employees.

A Federal District Court in Washington declared the Hatch Act—described by the government as the "cornerstone of the merit civil service system"—unconstitutional last July 31. A district judge said the law "talks in riddles" and leaves government employees to guess at what political activities are prohibited.

In a related case, the court will also hear arguments on whether the state of Oklahoma may fire employees for partisan political activities.

## Other Actions Told

In other actions, the Supreme Court:

- Rejected an appeal by the Harrisburg, Pa., lodge of the Loyal Order of the Moose, seeking to overturn a state Supreme Court decision declaring the local lodge a public accommodation—and not private club—and therefore subject to lights and various liquor license regulations.

The state court based its ruling on the fact the lodge leased its club rooms to non-members and catered banquets and meals there to non-members.

The Harrisburg lodge's liquor license was upheld by the U. S. Supreme Court last spring, even tho it refused to serve a black guest.

- Refused an appeal by the father of Allison Krause, who was shot and killed by Ohio National Guardsmen on the Kent State University campus in 1970. Arthur Kraus had sued the state of Ohio for damages, but Ohio courts said the state constitution barred such suits.

- Let stand a lower court decision allowing an agreement reached with a local union at the Phelps Dodge Mining operation in Arizona to apply to other company subsidiaries.

The U. S. Chamber of Commerce contended before the Supreme Court that this decision altered—without legislative approval—the economic balance of power between employees and unions.

*Handwritten notes and signatures in the right margin.*